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Section 8  
Box 59

September 18, 2001

Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/756,551  
Titled: "Encapsidated Recombinant Poliovirus Nucleic  
Acid and Methods of Making and Using Same"  
Inventor: Casey D. Morrow *et al.*  
Filing Date: January 8, 2001  
Attorney Docket No. UAI-004CPDV2CN

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice to File Missing Parts of Nonprovisional Application;
2. Request for Three-Month Extension of Time (*in duplicate*);
3. Amendment and Response to Notice to Comply with Requirements of 37 C.F.R. 1.821-1.825 as Set Forth in the Notice to File Missing Parts of Nonprovisional Application;
4. Transmittal Letter for Diskette Containing Sequence Listing;
5. Paper Copy of Sequence Listing (numbered Pages 54-73);
6. Diskette Containing Computer Readable Copy of Sequence Listing;
7. Copy of Notice to File Missing Parts of Nonprovisional Application (Formalities Letter);
8. Check No. 045469 for \$1,770.00 (filing fees) and Check No. 045468 for \$1,390.00 (extension fee) based on large entity status; and
9. Prepaid Acknowledgment Postcard.

However, please charge any other necessary fees due in connection with the enclosed statement to our Deposit Order Account No. 12-0080. *For this purpose, a duplicate of this sheet is attached.*

**Certificate of First Class Mailing (37 CFR 1.8(a))**

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on:

September 18, 2001

Date

Peter C. Lauro, Esq.

Registration No. 32,360

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Peter C. Lauro, Esq.  
Registration No. 32,360  
Attorney for Applicants



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Casey D. Morrow, *et al.*

Serial No.: 09/756,551

Filed: January 8, 2001

For: "Encapsidated Recombinant Poliovirus Nucleic Acid and Methods of Making and Using Same"

Attorney Docket No.: UAI-004CPDV2CN

Group Art Unit: 1632

Examiner: Not Yet Assigned

Commissioner for Patents  
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Washington, D.C. 20231

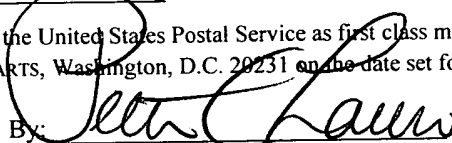
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, BOX MISSING PARTS, Washington, D.C. 20231 on the date set forth below.

September 18, 2001

Date of Signature and of Mail Deposit

By:

  
Peter C. Lauro, Esq.  
Registration No. 32,360  
Attorney for Applicants

**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF NON-PROVISIONAL APPLICATION**

Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application dated March 28, 2001, Applicants' attorney submits a paper copy of the Sequence Listing along with a computer-readable form (diskette) of the Sequence Listing as required by 37 C.F.R. 1.821-1.825. Also enclosed is Check No. 045469 totaling \$1,770.00 (as payment for the basic filing fee, additional claims and

*appropriate surcharge*) based on large entity status. A copy of the Formalities Letter is also enclosed.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP  


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Peter C. Lauro, Esq.  
Registration No. 32,360  
Attorney for Applicants

28 State Street  
Boston, MA 02109  
Tel. (617) 227-7400

Date: **September 18, 2001**



## UNITED STATES PATENT AND TRADEMARK OFFICE

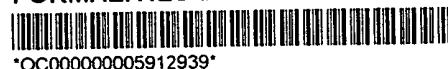
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WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/756,551	01/08/2001	Casey D. Morrow	UAI-004CPDV2CN

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

CONFIRMATION NO. 6750

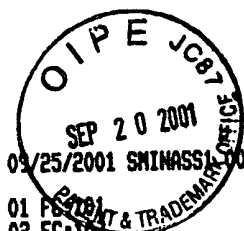
## FORMALITIES LETTER



\*OC000000005912939\*

**COPY**

Date Mailed: 03/28/2001



09/25/2001 SMINASS1 00000001 09756551

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01 FC:101	710.00 OP
02 FC:103	450.00 OP
03 FC:102	480.00 OP
04 FC:105	130.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$930.
  - \$450 for 25 total claims over 20.
  - \$480 for 6 independent claims over 3.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1770.
- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216

- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice MUST be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE